

DIVISION I

ARKANSAS COURT OF APPEALS
NOT DESIGNATED FOR PUBLICATION
JOSEPHINE LINKER HART, Judge

CACR05-1296

August 30, 2006

C H R I S T O P H E R C H A R L E S
Y A R B R O U G H

APPEAL FROM THE CRAWFORD
COUNTY CIRCUIT COURT
[NO. CR 2003-514-B]

APPELLANT

V.

HON. GARY RAY COTTRELL,
CIRCUIT JUDGE

STATE OF ARKANSAS

REBRIEFING ORDERED

APPELLEE

Christopher Charles Yarbrough was convicted in a Crawford County jury trial of possession of marijuana with intent to deliver and possession of drug paraphernalia, for which he received sentences of 60 and 36 months respectively in the Arkansas Department of Correction, to be served consecutively. On appeal, he argues that his right to a speedy trial was violated and that the trial court erred in denying his motion to suppress physical evidence seized in a traffic stop. However, the addendum in Yarbrough's brief does not conform with the Rules of the Supreme Court and Court of Appeals, therefore, we are unable to address his arguments. We order rebriefing.

Yarbrough's addendum is deficient because it omits material that is necessary for our full understanding of this case. Ark. Sup. Ct. R. 4-2(a)(8). Specifically, missing from the addendum are the docket sheets that contain the notations required by Rule 28.3 of the Arkansas Rules of Criminal Procedure. When a party has failed to supply the court with a sufficient brief, the procedure from Supreme Court Rule 4-2(b)(3) states:

Whether or not the appellee has called attention to the deficiencies in the appellant's abstract or addendum, the Court may address the question at any time. If the Court finds the abstract or addendum to be deficient such that the Court cannot reach the merits of the case, or such as to cause an unreasonable or unjust delay in the disposition of the appeal, the Court will notify the appellant that he or she will be afforded an opportunity to cure any deficiencies, and has fifteen days within which to file a substituted abstract . . . at his or her own expense, to conform to Rule 4-2(a)(5) and (8).

We therefore give Yarbrough fifteen days to submit a conforming brief.

Rebriefing ordered.

NEAL and VAUGHT, JJ., agree.